

REMARKS

Claims 1-3, 7-10 and 12-14 have been amended. Claims 1-4 and 6-14 are pending in this application.

Claims 1-4 and 6-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,064,380 (Swenson) in view of U.S. Patent No. 6,868,225 (Brown).

Amended independent claim 1 recites, in relevant part, the following:

first request means for requesting that said information management apparatus store a time stamp in association with predetermined identification information and access right information ...

said access right information includes information indicating whether a confirmation, by user identification, of an access right to said playing position of the content represented by said time stamp is necessary,

wherein said management means is operable to determine, based on said associated access right information, whether a confirmation of an access right by user identification is necessary to provide said content from said playing position represented by said time stamp, responsive to a request from the information processing apparatus for the playing of said content from said playing position represented by said time stamp

(Emphasis added). Accordingly, in the communications system of claim 1, a time stamp, which represents a playing position of content, may be stored in an information management apparatus in association with predetermined identification information and access right information indicating "whether a confirmation, by user identification," of an access right to the playing position of the content represented by the time stamp "is necessary." (emphasis added) In addition, claim 1 recites that a management means of the management apparatus, in response to a request for playing of the content from the playing position represented by the

time stamp, may "determine, based on said associated access information, whether a confirmation of an access right by user identification is necessary" to provide the content from the playing position represented by the time stamp. (emphasis added) (See specification, for example, at paragraphs [0083]-[0084], [0110] and [0122] and FIG. 10).

The Examiner admitted that Swenson fails to disclose "the association of a time stamp with access right information" as required by claim 1. In addition, Swenson does not appear to disclose determining, based on access information associated with a time stamp (bookmark) for content, whether a confirmation of an access right by user identification is necessary to access the playing position of the content represented by the time stamp, as required by claim 1. Brown, which appears to disclose displaying bookmarks for a program specific to an identification code of a transmitting device, e.g., remote control, does not cure the deficiencies of Swenson as described above, with respect to the requirements of claim 1.

It is, therefore, respectfully submitted that the combination of Swenson and Brown applied by the Examiner does not appear to specifically disclose the above-identified features of claim 1. Accordingly, it is respectfully submitted that claim 1 is distinguishable from the combination of Swenson and Brown applied by the Examiner.

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 2-3, 7-10 and 11-12, which include limitations corresponding to those of claim 1 discussed above, are patentable over the combination of Swenson and Brown as applied by the Examiner.

In addition, claims 4 and 11, which depend from one of the amended independent claims, are patentable over the combination of Swenson and Brown for the same reasons as set forth above for claim 1, and because of the further restrictions they include.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,
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